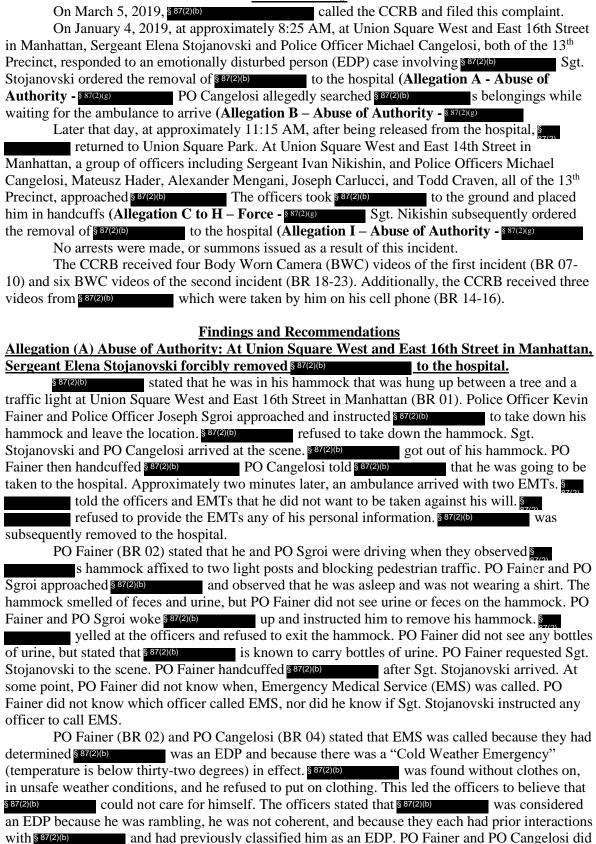
## CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	<b>▼</b> Force	☐ Discourt.	U.S.
Edward Tsigel		Squad #4	201901925	Abuse	e 🔲 O.L.	<b>☑</b> Injury
Incident Date(s)		Location of Incident:	•	Precinc	et: 18 Mo. SOL	EO SOL
Friday, 01/04/2019 8:00 AM, F 01/04/2019 11:15 AM	riday,	Union Square West and and Union Square Wes Street		13	7/4/2020	2/18/2021
Date/Time CV Reported		CV Reported At:	How CV Reported	: Date/T	Time Received at CC	RB
Tue, 03/05/2019 10:35 AM		CCRB	Phone	Tue, 0	3/05/2019 10:35 AM	Л
Complainant/Victim	Type	Home Addre	ess			
Witness(es)		Home Addre	ess			
Subject Officer(s)	Shield	TaxID	Command			
1. POM Michael Cangelosi	04586	950152	013 PCT			
2. SGT Elena Stojanovski	02188	940773	013 PCT			
3. POM Mateusz Hader	09149	963561	013 PCT			
4. POM Alexander Mengani	20921	958925	013 PCT			
5. SGT Ivan Nikishin	04811	952054	013 PCT			
6. POM Todd Craven	27626	928124	013 PCT			
7. POM Joseph Carlucci	13530	943051	013 PCT			
Witness Officer(s)	Shield N	o Tax No	Cmd Name			
1. POM Kevin Fainer	21974	962393	013 PCT			
2. POM Joseph Sgroi	22374	962795	013 PCT			
3. POM Jon Rymer	30312	954307	013 PCT			
Officer(s)	Allegatio	on		I	Investigator Reco	mmendation
A.SGT Elena Stojanovski		t Union Square West ar in, Sergeant Elena Stoja to the hospi	novski forcibly rem			
B.POM Michael Cangelosi		Abuse: At Union Square West and East 16th Street in Manhattan, Police Officer Michael Cangelosi searched				
C.SGT Ivan Nikishin	Manhatta	Force: At Union Square West and East 14th Street in Manhattan, Sergeant Ivan Nikishin used physical force against \$\frac{897(2)(b)}{2}\$				
D.POM Michael Cangelosi	Manhatta	t Union Square West and In, Police Officer Micha Inst <sup>§ 87(2)(b)</sup>				
E.POM Mateusz Hader	Manhatta	t Union Square West and In, Police Officer Mateu Inst <sup>§ 87(2)(b)</sup>				
F.POM Alexander Mengani	Manhatta	t Union Square West and in, Police Officer Alexa inst <sup>887(2)(b)</sup>				

Officer(s)	Allegation	Investigator Recommendation
G.POM Joseph Carlucci	Force: At Union Square West and East 14th Street in Manhattan, Police Officer Joseph Carlucci used physical force against §87(2)(b)	
H.POM Todd Craven	Force: At Union Square West and East 14th Street in Manhattan, Police Officer Todd Craven used physical force against \$87(2)(b)	
I.SGT Ivan Nikishin	Abuse: At Union Square West and East 14th Street in Manhattan, Sergeant Ivan Nikishin forcibly removed to the hospital.	

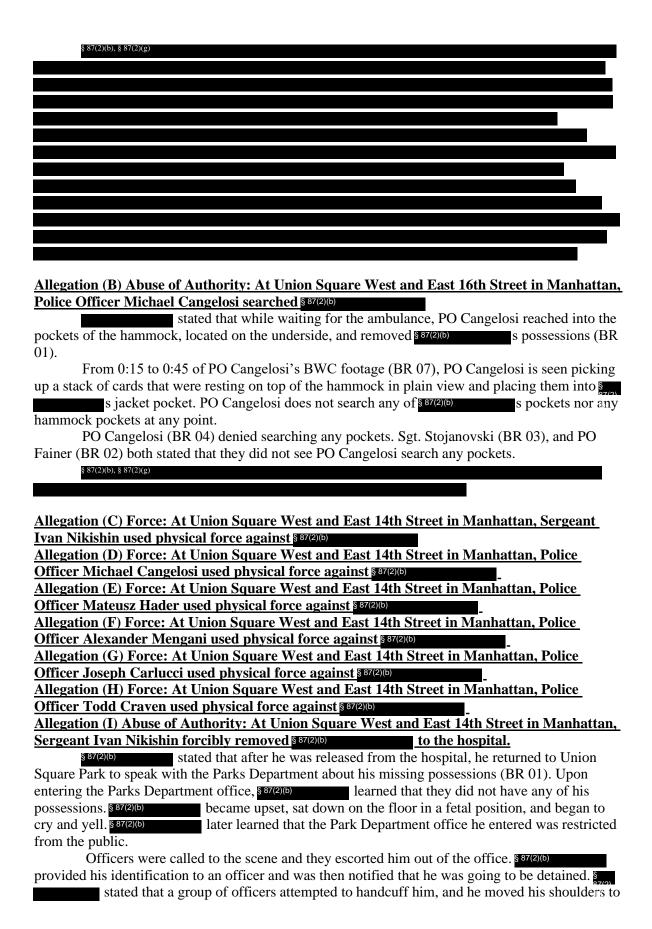
## **Case Summary**



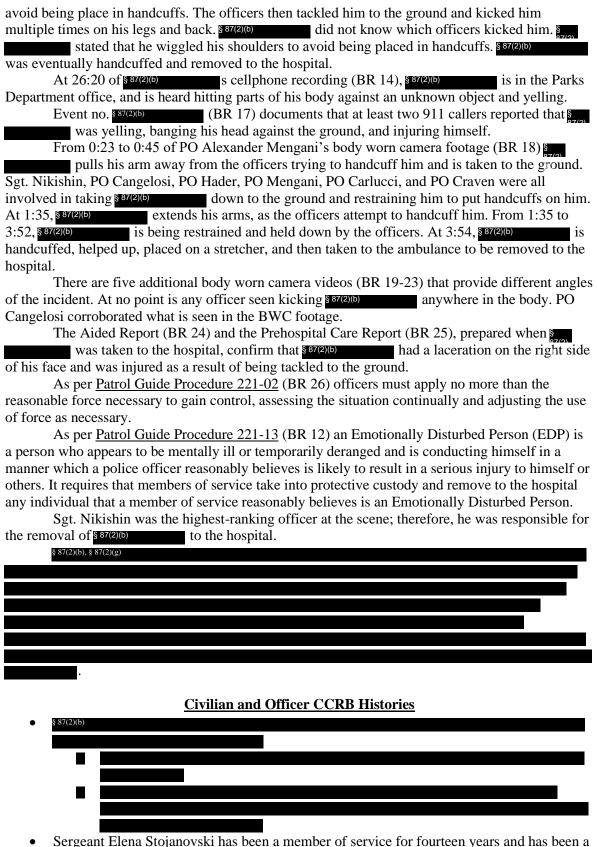
CCRB Case # 201901925

not hear § 87(2)(b) make any statements threatening to harm himself or others.
Sgt. Stojanovski (BR 03) stated that she was requested to the scene for an emotionally
disturbed male who refused to cooperate with officers' instructions. The weather was chilly. Sgt.
Stojanovski believed there might have been a cold weather advisory in effect. Sgt. Stojanovski
believed \$87(2)(b) wore cargo shorts and jacket. \$87(2)(b) was acting "belligerent,"
rambling on, and going off on tirades, but she did not recall what he said. When asked whether
did anything that classified him as an emotionally disturbed person besides refusing to
take down his hammock, Sgt. Stojanovski explained that "it had to do with things he said and
knowledge of prior interactions" with \$87(2)(b) Sgt. Stojanovski added that, on some prior
occasions, §87(2)(b) was compliant when asked to leave and other times he refused to leave.
She also stated that \$87(2)(b) had refused to be placed into a shelter on prior occasions. Sgt.
Sgt. Stojanovski did not recall if \$87(2)(b) made any statements of self-harm or threatening
statements towards others. She did not recall whether \$87(2)(b) was taken to the hospital
because of the cold weather advisory.
EMT § 87(2)(b) (BR 05) stated that § 87(2)(b) did not want to speak with the
EMTs. § 87(2)(b) did not respond to any questions asked by the EMTs, which prevented them
from making an assessment at the scene. Because EMT \$87(2)(b) was not able to make a
determination of \$87(2)(b) s condition, and she did not know what happened prior to her arrival, she removed \$87(2)(b) based on Sgt. Stojanovski's instruction. EMT \$87(2)(b) did not
arrival, she removed \$87(2)(b) based on Sgt. Stojanovski's instruction. EMT \$87(2)(b) did not
remember the contents of her conversation with Sgt. Stojanovski prior to \$87(2)(b)
removal. EMT \$87(2)(b) did not hear \$87(2)(b) make any statements threatening himself or
others. EMT § 87(2)(b) was unaware of any cold weather emergency procedures that were in effect
during the incident.
EMT Calidonio was not interviewed because he is no longer employed at the hospital
involved in the incident. The investigation contacted him by telephone, but he did not recall the
incident (BR 06).
PO Cangelosi's BWC footage (BR 07) begins with strict being handcuffed by PO Fainer. Throughout the duration of the video, strict being handcuffed by remains sitting on his hammock
PO Fainer. Throughout the duration of the video, \$87(2)(b) remains sitting on his hammock
while in handcuffs. § 87(2)(b) remains calm, does not raise his voice, and is coherent while
engaging in conversation with the officers. § 87(2)(b) does not make any statements
threatening himself or others throughout the footage. At 6:53, §87(2)(b) is pictured fully
clothed; wearing a shirt, sweater, pants, shoes, and a hat. Between 13:00 and 13:30, PO Cangelosi
says that it is below 32 degrees, and that there is a winter weather advisory in effect, and then
immediately follows up by checking the temperature and saying, "Right now it's, oh it's thirty-six."
The investigation determined that the weather in Manhattan on January 4, 2019, ranged
between forty-six to thirty-five degrees (BR 11).
Aided Report § 87(2)(b) (BR 29), filed by PO Fainer, stated that § 87(2)(b)
was found sleeping in a hammock without a shirt on, in unsafe conditions. It stated that he refused
to put on clothing and refused to take down his hammock, which was blocking pedestrian traffic.
As per Patrol Guide Procedure 221-13 (BR 12), an Emotionally Disturbed Person (EDP) is
a person who appears to be mentally ill or temporarily deranged and is conducting himself in a
manner which a police officer reasonably believes is likely to result in a serious injury to himself or
others. It requires that members of service take into protective custody and remove to the hospital
any individual that a member of service reasonably believes is an Emotionally Disturbed Person.
As per Patrol Guide Procedure 214-06 (BR 13) a "Cold Weather Emergency" is declared
by the Department of Health and Mental Hygiene when the temperature reaches or falls below 32
degrees Fahrenheit.
§ 87(2)(b), § 87(2)(g)

**CCRB Case # 201901925** 



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subject in four CCRB complaints and eight allegations, none of which were substantiated.

been a		elosi has been a member of service complaint and two allegations, nor	
		een a member of service for eight yone allegation, which was not subs	
<ul><li>first Co</li><li>Police been a</li></ul>	CRB complaint to which officer Alexander Me	r has been a member of service for ch he has been a subject. ngani has been a member of service complaints and two allegations, no	te for four years and has
been a		ci has been a member of service fo B complaints and six allegations, no	•
	t in ten CCRB complai 2013302279 involved board recommended	nas been a member of service for ents and seventeen allegations, of we done substantiated allegation of for charges and the NYPD has not yet 177, and 200615910 each involved	which one was substantiated. orce against PO Craven. The imposed discipline.
<ul><li>As of I Compt</li><li>Accord</li></ul>	ase was not eligible for February 11, 2020, resu croller's Office are pen	ults for a FOIL regarding a Notice ding. Ourt Administration (OCA), \$87(2)(8)	of Claim sent to the NYC
Squad No.:			
Investigator:	Signature	Print Title & Name	Date
Squad Leader:	Signature	Print Title & Name	Date
Reviewer:			

Print Title & Name

Signature

Date